

**Notice of Allowability**

Application No.

09/683,733

Examiner

Freda A. Nelson

Applicant(s)

ADAY ET AL.

Art Unit

3639

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment filed September 19, 2006.
2. ☒ The allowed claim(s) is/are 1-26.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_.

***Response to Amendment***

The amendment received on September 20, 2006 is acknowledged and entered. Claims 1, and 3-4 have been amended. No claims have been added. Claims 1-26 are currently pending.

***Response to Amendment and Arguments***

Applicant's arguments (see pages 10-12) filed September 20, 2006 July 24, 2006, with respect to claims 1, 10, 17 and 20 have been fully considered and are persuasive. The rejection of claims 1, 10, 17 and 20 has been withdrawn.

The rejection under 35 USC 112 has been withdrawn due to applicant's amendment.

The drawing(s) filed on February 7, 2002 are accepted by the Examiner.

***Allowable Subject Matter***

Claims 1-26 are allowed.

The following is an examiner's statement of reasons for allowance:

1. As per independent claim 1, the prior art of record, specifically Nanbu et al. (US Patent Number 6,970,754) do not disclose or fairly teach:  
calculating a complexity factor based on designated custom parameters and the reference die; and

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calculating the custom die price based on the base die, the custom parameters and the complexity factor.

2. As per independent claim 10, the prior art of record, specifically Nanbu et al. (US Patent Number 6,970,754) do not disclose or fairly teach:

calculating a complexity factor based on the custom die and the reference die;  
and

calculating the custom die price based on the base die price, the custom die and the complexity factor

3. As per independent claim 17, the prior art of record, specifically Nanbu et al. (US Patent Number 6,970,754) do not disclose or fairly teach:

a complexity system for calculating a complexity factor based on the custom die and the reference die; and

a calculation system for calculating the custom die price based on the base parameters, the custom parameters and the complexity factor

4. As per independent claim 20, the prior art of record, specifically Nanbu et al. (US Patent Number 6,970,754) do not disclose or fairly teach:

program code for calculating a complexity factor based on the custom die and the reference die; and

program code for calculating a custom die price based on the base die price, the custom die and the complexity factor

5. The NPL prior art of record, specifically, "An Overview of Manufacturing Yield and Reliability Modeling for Semiconductor Products", fails to disclose or fairly teach:

calculating a complexity factor based on designated custom parameters and the reference die; and

calculating the custom die price based on the base die, the custom parameters and the complexity factor.

6. The foreign prior art of record, specifically, JP 2001308120, while disclosing a method for manufacturing semiconductor device, and semiconductor-manufacturing device therefor, fails to disclose or fairly teach:

calculating a complexity factor based on designated custom parameters and the reference die; and

calculating the custom die price based on the base die, the custom parameters and the complexity factor.

7. The remaining dependent claims are considered allowable, as they are dependent and based off of an allowable independent claim.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably

accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

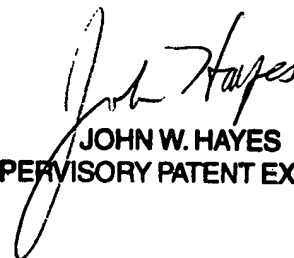
### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Freda A. Nelson whose telephone number is (571) 272-7076. The examiner can normally be reached on Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Hayes can be reached on 571-272-6708. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

FAN 09/21/2006



**JOHN W. HAYES**  
**SUPERVISORY PATENT EXAMINER**